Canadian Centre
For Foreign Policy
Development

Centre canadien
pour le développement
de la politique étrangère

REPORT FROM THE ROUNDTABLE: CANADA, INDIGENOUS PEOPLES AND THE HEMISPHERE

Marketa Geislerova,
Canadian Centre for Foreign Policy Development

March 22-23, 2000
Winnipeg, Manitoba

8002.2E

125 promenade Sussex Drive, Ottawa, Ontario K1A 0G2
Telephone/Téléphone : **613 944 8278** Fax/Télécopieur : **613 944 0687**
www.cfp-pec.gc.ca

Canadian Centre
for Foreign Policy
Development

Centre canadien
pour le développement
de la politique étrangère

125 Sussex Dr. Ottawa, Ontario K1A 0G2

REPORT FROM THE ROUNDTABLE:
CANADA, INDIGENOUS PEOPLES AND THE HEMISPHERE

Marketa Geislerova,
Canadian Centre for Foreign Policy Development

March 22-23, 2000
Winnipeg, Manitoba

8002.2E

ISBN: E2-252/2000E
0-662-30182-X

Tel.: (613) 944-8278
Internet address: http://www.cfpd.ca Fax: (613) 944-0687

Canadian Centre for Foreign Policy Development
Centre canadien pour le développement de la politique étrangère

125 Sussex Dr. Ottawa, Ontario K1A 0G2

REPORT FROM THE ROUNDTABLE: CANADA, INDIGENOUS PEOPLES AND THE HEMISPHERE

March 22-23, 2000
Winnipeg

On March 23, 2000, leaders and representatives of Indigenous Peoples from Canada, the United States, Guatemala, Panama, and Mexico, business leaders, government officials, and others met to reflect on Indigenous Peoples' issues in the Hemisphere. Organised by the Canadian Centre for Foreign Policy Development, the roundtable was part of a series aimed at contributing public views to the development of Canada's foreign policy. The participants included, Assembly of First Nations, National Chief Phil Fontaine, Marc Lortie, the Prime Minister's personal representative for the Summit of Americas, Frank O'Dea, Madison Grant, and Chief Lydia Hwitsum, Cowichan First Nation. A discussion paper, prepared by Paul Chartrand for the roundtable, is attached.

1. Framing the Discussion

The day began with a Mayan ceremony conducted by Consuelo Cutzal from the Coordinating Council of Organisations of the Mayan Peoples of Guatemala. As a part of that ceremony, candles were lit and burned until the close of the roundtable. Following the ceremonial opening, David Chartrand, the President of the Manitoba Metis Federation, extended a warm welcome to everyone. He drew attention to the role of the Metis People in founding Manitoba and questioned the commitment of the Canadian government to the Metis as well as other Indigenous Peoples in the Hemisphere. Indigenous Peoples from across the continent continue to face similar challenges, including dislocation and despair.

Steve Lee, the Executive Director of the Canadiar Centre for Foreign Policy Development (CCFPD) and the Chair, thanked the Assembly of First Nations (AFN) for helping to organise the roundtable, Paul Chartrand for his discussion paper, and all the guests for coming to Winnipeg. He said that the mandate of the CCFPD is to help Canadians contribute to the development of Canada's foreign policy and to identify policy development needs, options and ideas. He drew attention to work related to Indigenous Peoples' issues the CCFPD has done in the past, including the National Forum on APEC (April-October, 1997) and the National Forum on Circumpolar Relations (May-June, 1998) and a roundtable on "Indigenous Peoples' Art and the Idea of Canada" (March 12, 2000, Vancouver).

Tel: (613) 992-8278
Internet address: http://www.ccfpd.ca Fax: (613) 992-1868

The Chair set three goals for the roundtable:

1. to create a learning circle to share ideas and experiences,
2. to contribute ideas to the development of Canada's relations within the Hemisphere, including Indigenous to Indigenous Peoples issues (i.e., squarely address what the issues are and attempt to chart a course toward the 2001 Quebec City Summit),
3. to build relationships and networks.

He suggested the agenda for the day to be free and encouraged an open discussion with government officials. A thematic report would be distributed following the roundtable to the policy makers at the Department of Foreign Affairs and International Trade, other Departments, participants and the public.

After roundtable introductions, National Chief Phil Fontaine made a brief presentation. He welcomed the participants on behalf of the First Nations and thanked them for their engagement. He saw the meeting as an important step to shift attention to Indigenous Peoples's issues and to examine how these issues fit into a larger Hemisphere context. He went on to say that while the participants came from different backgrounds, they shared some common objectives. *The first objective was to ensure that the interests and rights of Indigenous Peoples are protected and that Indigenous Peoples play a large role in this process. The second objective was to elevate Indigenous Peoples from the poverty and misery they face in their every day lives.* He countered the argument that the reserve system is key to poverty among Indigenous Peoples. Those living off reserves are often the most impoverished, he said. Instead, racism is one of the most significant factors contributing to the current state of affairs. Racism, on both sides, stands in the way forward.

Phil Fontaine stressed that issues pertaining to Indigenous Peoples are not domestic but extend across the Hemisphere. *Drawing attention to last year's gathering of tribal leaders from Canada and the United States in Vancouver, he said that "there is a great value in carrying out responsibilities in a unified way."* Focus of that meeting was trade, culture, development, and human rights. There are efforts underway to better cooperate with the National Congress of American Indians (NCAI) as well as other Indigenous Peoples of the Americas. Unified, the Indigenous Peoples will be in a better position to influence the Organisation of the American States (OAS). Indigenous Peoples and their issues must be integral to the process. Indigenous Peoples want to have a seat at the table. Their aim is to contribute to the discussion/process conducted exclusively until now by states. If issues of trade, human rights, and land ownership are not addressed within the Indigenous Peoples' framework, states's efforts will not be effective.

If countries want to be seen as fair, they are compelled to interact with Indigenous Peoples in a fair and just way. Mass poverty experienced by most Indigenous Peoples in Canada and abroad must be eradicated. There is no reason for Indigenous Peoples to be poor, since it is their land and resources that have been dispossessed or unfairly exploited. An equitable system that allows for sharing of land and resources has to be found. Phil Fontaine ended by expressing

his hope that young Indigenous Peoples will be able to see the world in a brighter way than their predecessors. The first steps toward this goals have already been taken.

Marc Lortie, the Prime Ministers's personal representative for the Summit of Americas, outlined Canada's interests in the Hemisphere and brought participants up to date with planning for the upcoming OAS General Assembly meeting in Windsor (June 4, 2000) and the Quebec City Summit (April, 2000). During the 1998 Santiago Summit, Prime Minister Chretien signalled that Canada is ready to play its role in the Americas. A changing context allowed Canada to join the OAS ten years ago. Most Latin American countries have embarked on political and economic reforms aimed at developing democratic systems and free markets. The end of the Cold War and increased efforts to strengthen the European Union contributed to the shift in focus of Canadian foreign policy from Europe to the Americas. The time is right to develop networks and links with our neighbours to the South.

The Windsor OAS General Assembly meeting and the Quebec City Summit are good opportunities to promote Canada's vision. The OAS is re-orienting to become a more people-focussed body. It addresses range of issues including democratisation, social needs, as well as trade and investment. The Canadian agenda for the Quebec City Summit is still being shaped and the government is open to ideas and suggestions.

Attention should be paid to three key areas, which came out of the Santiago Summit. They are:

1. Strengthening democracy. How can Canada help to embed democratic values? How have democracies improved in the region since the last Summit?
2. Economic integration. How does the Hemisphere collectively stand on developing/moving forward the Free Trade Area of the Americas? How to integrate the human/social dimension into trade and investment negotiations and deals?
3. Social dimension. Has access to social services, including health and education improved for all? How has the reform of the justice system progressed? Have human (and other) rights been strengthened? How can Canada play a useful role?

Marc Lortie encouraged reflection on these issues. He said that Canada could perhaps offer its experience with community building. He was receptive to practical and concrete suggestions from the roundtable participants and reiterated the opportunity Canada has to play a leadership role in the Americas.

Before the discussion began, Paul Chartrand outlined his paper. He extended his appreciation for creating a forum which includes Indigenous Peoples, NGOs, government officials and especially the business community. He commented on the significance of the Red River region as the homeland of several Indigenous Peoples and a place key in the development of Canada.

Domestic law and policies reinforce the marginalisation of Indigenous Peoples in Canada, he said. Ever since their land and resources have been dispossessed, Indigenous Peoples have been living on the margins of the Canadian economy. Indigenous Peoples issues have often been an afterthought, an addition to decisions already made. Canadian law has consistently ignored the interests of Indigenous Peoples and, in some cases, has prevented them from taking full advantage of their talents and resources. They have been considered as people without a voice and history.

Today, governments have become more sensitive to human rights. Other changes have also occurred, including the expansion of free markets. As a result, businesses have become increasingly influential. It remains critical to Canadians and the Canadian government how money and corporate power is used. Canada should be the champion of mutually beneficial trade. "The most significant contribution that Canada can make to the security and development of Indigenous Peoples is to manage Canadian investments in a way that ensures a positive net impact on the indigenous communities which host Canadian resource companies." There has been some indication that the private sector is increasingly aware of the need to recognise Indigenous Peoples rights.

First steps toward developing a Canadian policy on Indigenous Peoples in the Americas should make clear commitments to:

1. The speedy ratification of ILO Convention No.169.
2. The adoption of a screening mechanism governing DFAIT's participation in the promotion of Canadian investments abroad.
3. The establishment of an effective regional monitoring system and annual Parliamentary reports through collaboration with Indigenous People's network.
4. A serious investment in educational partnerships involving indigenous organisations and institutions in Canada and Latin America.

These thresh-hold measures should gradually be reinforced by appropriate legislation to strengthen corporate overseas accountability under law, Paul Chartrand said. Participation of Indigenous Peoples in devising policies that affect them is fundamental.

2. Synopsis of the Discussion

Phil Fontaine, emphasised the point made by Paul Chartrand that historical texts, including encyclopaedia, treat Indigenous Peoples in a vague way as if they were a nameless and faceless mass. As a result Canadians are not fully exposed to the history of Canada and many have no knowledge and understanding of Indigenous Peoples. This poses challenges for building relationships and, in extension, for doing business. Representatives of Indigenous Peoples from the United States expressed their support for Phil Fontaine's efforts to develop better links among the Indigenous Peoples of the Hemisphere. They also expressed their appreciation for the

invitation to participate.

The business link between investment and economic development does not square with the Indigenous Peoples' concerns about their environment (i.e., natural environment, culture, way of life, etc.). A "way of life" is an end in itself and must come before calculating investment results. While Indigenous Peoples are not afraid of investment, there must be clear guarantees that history is not repeated. The environment Indigenous Peoples occupy should not be destroyed and that they should not become marginalised and impoverished as a result of outside investment. *The Indigenous community must have the right to refuse access to its land and resources. Structural mechanisms have to be found to prevent entry in such cases.*

Many Indigenous Peoples' representatives echoed this argument, among them Chief Lydia Hwitsum. She emphasised the cultural/values disconnect between the corporate world and Indigenous Peoples. Particularly, she addressed the close ties of Indigenous Peoples to their territory and the distant, profit-motivated approach to land by business. *Companies have to realise that there are real, legitimate costs associated with their entry for Indigenous Peoples, she said.* These costs include a smaller/altered space for future Indigenous generations to flourish, for instance. However, this is not to say that all investment is bad. A capacity for Indigenous Peoples to participate in mutually beneficial business ventures is one way to ensure investment is not exploitative. Indigenous Peoples do not have to be displaced for the (national) economy to grow.

Maxine Wiber, Vice-President of Environment, Rio Algom, said that companies are themselves learning about corporate social responsibility. There should be a recognition on the part of companies that Indigenous communities have the right to say "no," she said.

There exists a disequilibrium between economic freedom and economic rights in favour of the former. Therefore, corporations should be screened before entering Indigenous territory and Indigenous economic rights conscientiously protected. Given the unequal starting place in developing countries, it is the elites that benefit most. Benefits rarely trickle down to the under-privileged. In this sense, Mexican President Zedillo's Davos speech, accusing northern anti-liberalisation NGOs of saving the developing world from development, is elitist.

A larger forum with more Corporate interests should be convened. Government officials and businesses should develop links with Indigenous Peoples and develop practical models of co-operation.

Glenn Sigurdson, CSE Group, said that sustainable engagement around a table is a fundamental challenge. *Therefore, safe fora should be developed where actors would be able to express their self-interests/"opportunities" openly.* New approaches and models could be found at the intersection of Corporate self-interests (i.e., profit, certainty, time) and Indigenous Peoples' interests (i.e., tradition, maintenance of environment, "balanced" growth). Too much attention has been paid to outcomes instead of building relationships and ways in which the two seemingly

disparate communities could meet, he said.

Allan Torbitt, AFN, encouraged the participants to take a longer term vision. While the OAS GA in Windsor and the Quebec City Summit present a good opportunity to announce/promote practical projects and initiatives, work on instilling a new mind set and developing new processes will continue beyond these two events. Wayne Lord, Aboriginal and Circumpolar Affairs Division, DFAIT, said that we should make sure to take advantage of the fact that leaders often set the tone for the future at the Summit. Quebec City provides a good opportunity to signal that Indigenous Peoples' issues are in the mainstream of public domestic and international policy.

In order to establish a presence/platform for Indigenous Peoples at the OAS, the Inter-American Indigenous Institute should be reformed and revitalised. Allan Torbitt said that while it would be very useful to have such an exclusive window, Indigenous Peoples' issues should not be treated separately from other OAS issues, including poverty alleviation, access to education, and other "baskets." It should be clear that helping the millions of dispossessed and marginalised Indigenous Peoples in the Hemisphere to lift themselves from misery will contribute to the overall peace, security, and development of the region.

Daniel Sanchez Nestor, Guerrero Council of the 500 Years of Indigenous Resistance (Mexico), took Allan Torbitt's argument further and said that there could be no democracy without respecting the rights of Indigenous Peoples, including their right to land and self-determination. Canada should lead by example and respect Indigenous Peoples' rights. The Canadian government should develop implementation, enforcement, and punitive mechanisms to ensure the effectiveness of the relevant laws. Participation of Indigenous Peoples in the democratic process underlined by an effective legal framework would undoubtedly contribute to stability. Stability is in everybody's interest. The "value added" in showing/influencing by example is significant.

Consuelo Cutzal, Coordinating Council of Organisations of the Mayan Peoples of Guatemala, said that in some cases, the political structures actually perpetuate and reinforce marginalisation of Indigenous Peoples in Latin America. Violence may have dramatically diminished in the recent past, but there is no inclusion of Indigenous Peoples in Guatemalan "democracy," for example. *Economically marginalised and politically circumscribed, Indigenous People in many Latin American countries have little chance to develop.* Forces for change from across the Hemisphere have to be united and pressure on recalcitrant governments extended.

Hector Almendrades, Centre for Trade Policy and Law (Carleton University), said that governments of Latin America seem to listen more to their foreign counterparts than to the Indigenous Peoples living on territories they supposedly "govern." Moreover, only a very limited number of resolutions adopted by Latin American governments are fully (or at all) implemented. *Therefore, international bodies such as WTO , the UN, and the OAS should set up units addressing Indigenous Peoples's issues on a continuous and consistent basis. Such units could*

act as engines/enforcement mechanisms for the implementation of adopted resolutions, among other things.

Kelly McBride, Office of Secretary-General OAS, pointed out that the institutional constraints of the OAS may seriously limit what can Canada do to help Indigenous Peoples in the Hemisphere. Since the OAS operates on consensus, cutting edge issues including corporate social responsibility, may be hard to push. Human rights are observed hesitantly in some new and still fragile Latin American democracies. *Perhaps, the most Canada could achieve is to foster dialogue between states and Indigenous Peoples. Canada could elevate the discussion/discourse and push for stronger language on Indigenous Peoples' issues at the OAS.*

William Young, Canadian International Development Agency, said that while Paul Chartrand's paper indicated that Development Assistance does not have as much bearing in Latin America as private business, it remains vital. Historically CIDA has not directly supported Indigenous Peoples of the Hemisphere because it was politically impossible to programme such projects. Indigenous Peoples issues have been addressed through general poverty reduction and equity enhancing programmes. However, the changing context has opened the window of opportunity. On March 22, National Chief Phil Fontaine met with Minister Minna and other CIDA officials and agreed to collaborate in targeting CIDA's programming towards Indigenous Peoples' needs.

The importance of history and education/learning was stressed by many participants. *Indigenous Peoples will not forget their history in order to focus on the future, as governments and others constantly urge them to do.* Developing a common vision and mutually beneficial policies may take a long time, but the process of building trust and relationships must start now. Dialogue and the necessity to be listened to and heard were underlined. Indigenous Peoples face the same problems across the Hemisphere at different levels. Linkages among them are important. Collective pressure may prove effective in ensuring Hemisphere Indigenous Peoples' rights. Development assistance projects should be sustainable. Foreign government pressure is sometimes much more effective than monetary contributions, which often end up in government coffers.

In conclusion, Marc Lortie expressed his commitment to build bridges. He encouraged National Chief, Phil Fontaine, to convene more meetings of Indigenous Peoples' leaders to feed into the agenda-building process for the Quebec City Summit. Ideas expressed during this roundtable would be useful to the government of Canada and the Prime Minister himself, he said. On corporate social responsibilities, he also argued that the behavior of Canadian corporations abroad is fundamentally proper and codes of conduct based on standards they are respecting in Canada. However, in the eventuality that corporations do not behave properly he encouraged activism on the part of Indigenous Peoples to counter any harmful corporate action. John Clarke reminded participants that social corporate responsibility is one of Minister Axworthy's priorities. Steve Lee, Chair, thanked all for their contributions. The roundtable was closed by a ceremony performed by an elder from the Assembly of Manitoba Chiefs.

Canadian Centre for Foreign Policy Development
Centre canadien pour le développement de la politique étrangère
[illegible] Ottawa, Ontario K1N 0G2

AGENDA
CANADA, INDIGENOUS PEOPLES AND THE HEMISPHERE ROUNDTABLE
March 22-23, 2000
Winnipeg
9 am to 5:30 pm
Ft. Garry Hotel, 222 Broadway
Club Room

March 22

7 pm - 8:30 pm — Evening Reception
Fort Garry Hotel

March 23

9 am - 9:30 am — Coffee
Club Room

9:30 am - 10 am — Roundtable
Club Room

Welcome to Winnipeg
David Chartrand, President, Manitoba Metis Federation

Welcome to the Roundtable and Introduction of Participants
Steve Lee, Executive Director, Canadian Centre for Foreign Policy Development

10 am - 10:30 am — Opening Remarks
National Chief Phil Fontaine, Assembly of First Nations

10:30 am — **The Organization of American States, Quebec City Summit of the Americas and Canada's Interests in the Hemisphere**

10:30 am - 10:50 am — Opening Remarks
Marc Lortie, the Prime Minister's personal representative for theSummit of Americas

10:50 am - 11 am	Comments
11 am - 12 pm	Discussion
12 pm - 1:00 pm	Lunch Laverendrye Room
1:30 pm	**Canada and the Indigenous Peoples of the Western Hemisphere: Putting Principles into Action in Trade and Investment**
1:30 pm - 1:50 pm	Opening Remarks Paul Chartrand, Discussion Paper Author and former member of the Royal Commission on Aboriginal Peoples
1:50 pm - 2 pm	Comments
2 pm - 3 pm	Discussion (Coffee available.)
3 pm	**Indigenous Peoples and the Hemispheric Agenda**
3 pm - 3:20 pm	Opening Remarks
3:20 pm - 3:30 pm	Comments Chief Lydia Hwitsum, Director, International Centre for Human Rights and Democratic Development
3:30 pm - 4:30 pm	Discussion
4:30 pm	Closing Observations
5 pm	Closing Remarks Steve Lee, Executive Director, Canadian Centre for Foreign Policy Development

Canadian Centre for Foreign Policy Development
Centre canadien pour le développement de la politique étrangère

125 Sussex Dr. Ottawa, Ontario K1N 0G2

List of Participants

CANADA, INDIGENOUS PEOPLES AND THE HEMISPHERE ROUNDTABLE
March 22-23, 2000
Winnipeg
9 am to 5:30 pm
Ft. Garry Hotel, 222 Broadway
Club Room

Paula Acoose
Saskatchewan Indian Federated College

Ray Ahenakew
Meadow Lake Tribal Council/Contigo International

Hector Almendrades, Adviser
Centre for Trade Policy and Law,

Roger Augustine, Board Member
Centre for Indigenous Environmental Resources

Chief Myrtle Bush
Mohawk Council of Kahnawake

David Chartrand
President, Manitoba Metis Federation

Paul Chartrand
Discussion Paper Author

National Chief Phil Fontaine
Assembly of First Nations

Chief Lydia Hwitsum
Director

International Centre for Human Rights and
Democratic Development

Steve Lee, Executive Director
Canadian Centre for Foreign Policy Development

Marc Lortie
The Prime Minister's personal representative for
theSummit of Americas

President Gerald Morin
Metis National Council

Frank O'Dea
Madison Grant

Merrell-Anne Phare, Director
Centre for Indigenous Environmental Resources

Glenn Sigurdson
The CSE Group

Eric Steedman
Social Investment Forum

Allan Torbitt
International & Intergovernmental Affairs Advisor
Assembly of First Nations

Maxine Wiber, Vice-President Environment
Rio Algom

Rick Zerbe Cornelsen
Aboriginal Neighbors Program Coordinator
Mennonite Central Committee

Government Observers

John Clarke, Minister Axworthy's office

Jeff Marder, Mexico and Inter-American Relations, Department of Foreign Affairs and International Trade

Wayne Lord, Aboriginal and Circumpolar Affairs, Department of Foreign Affairs and International Trade

Laurent Charette, Aboriginal and Circumpolar Affairs, Department of Foreign Affairs and International Trade

Brennan Patrick, Aboriginal and Circumpolar Affairs, Department of Foreign Affairs and International Trade

Marilyn Whitaker, Director
International Relations, Indian and Northern Affairs

International Observers

Jesus Alemancia Martinez, Executive Secretary
Institute for Development of the Kuna Yala / Kuna General Congress (Panama)

Consuelo Cutzal
COPMAGUA - Coordinating Council of Organizations of the Mayan Peoples of Guatemala (Guatemala)

Caroline Gelinas
Indigenous Peoples and Community Development Unit, Inter-American Development Bank

Edward Hale
Association of Three Affiliated Tribes

James Peter Hale
Association of Three Affiliated Tribes (North Dakota, USA)

Kelly McBride, Senior Advisor
Office of Secretary-General OAS

Daniel Sanchez Nestor
Guerrero Council of the 500 Years of Indigenous Resistance (Mexico)

Armstrong Wiggins
Indian Law Resource Centre (USA)

Canadian Centre for Foreign Policy Development

Marketa Geislerova
Rapporteur

Dawn McLean
Consultant

Peter Moore
Organizer

Canadian Centre
For Foreign Policy
Development

Centre canadien
pour le développement
de la politique étrangère

125 promenade Sussex Drive Ottawa, Ontario K1A 0G2

Aboriginal Policy Roundtable
Canadian Centre for Foreign Policy Development

CANADA AND THE INDIGENOUS PEOPLES OF THE WESTERN HEMISPHERE: PUTTING PRINCIPLES INTO ACTION IN TRADE AND INVESTMENT

Roundtable Discussion Paper
By Paul Chartrand

> *Without addressing the issue of poverty, there is no way we can have long-term growth because social instability will kill it.*
>
> -- James Wolfensohn, President of the World Bank.

Since the days of Prime Minister Lester Pearson's leadership at the newly-created United Nations, Canada's security and international influence have been closely linked with Canada's credibility and moral leadership. As a relatively small state, with barely one-tenth of the population or economic output of the United States, or of the European Community (EEC), Canada's emergence in the 1950s as a middle-power and honest broker arose from a widespread perception of Canadians as anti-imperialistic, genuinely democratic, and diplomatically candid. Prime Minister Trudeau expanded this foundation in the 1970s, giving Canada a crucial intermediary role in the East-West balance of power. In the 1980s, leadership in African economic recovery enhanced Canada's role as a key broker in the North-South dynamic of international politics.

More recently, Canada has turned its attention to its position in the Americas. Latin American democratization and trade liberalization have improved the potential for economic cooperation, while NAFTA has given Canada a strategic incentive to build alliances with like-minded Latin American countries to counterbalance the dominant regional power of the United States. Closer ties with Latin American countries such as Chile and Mexico will increase Canada's national interests in human rights, meaningful democracy, social stability, and economic growth in those countries. In particular, Canadians will confront the fact that the economic and political marginalization of indigenous peoples is an inescapable challenge to governments throughout the Americas, and will continue to erode the security and development of the hemisphere until justice is done.

Canada's ability to assert influence with its regional neighbours will continue to depend on Canadians' credibility. Our neighbours and trading partners will be watching how Canadian leaders behave at home, how they treat Canada's own marginalized and vulnerable people including Aboriginal peoples, and what Canada says and does about oppression and injustice abroad. Our

Tel. Tel. : (613) 944-8278 Fax Télécopieur : (613) 944-0687
Internet address Site internet : http://www.cfp-pec.gc.ca

neighbours and trading partners have their most direct, and therefore most persuasive opportunities to assess Canadian credibility in personal dealings with Canadian businesses, aid-workers and tourists, however. How Canadians behave when they use their money and power abroad will be the chief evidence upon which we are judged.

Canadian credibility benefits from a consistent course of conduct which demonstrates integrity and honesty: taking principled positions that genuinely reflect our domestic values and policies, and eschewing hypocrisy. It is also essential that we consistently "walk the talk," especially when our own wealth is at stake. In a world of increasing economic integration and capital mobility, Canada should not only be a champion of fair and mutually beneficial trade, but should demonstrate its commitment to this goal by creating strong incentives for Canadian companies to treat host communities fairly. Canadian companies should be held accountable to the communities affected by their operations as a matter of Canadian policy and law.

In his recent speech to Latin America's finance ministers, quoted above, James Wolfensohn emphasized the urgency of addressing the needs of region's estimated 30 million indigenous people. Most of them live in Bolivia, Ecuador, Guatemala, and Peru, where they are a majority of the national population; in Canada's NAFTA partner, Mexico, where they comprise at least 25% of the population; and in Canada's largest Latin American trade partner, Chile, where they are 15% of the population.

Canadian business has become a major player in the development of remote areas of Latin America. As a result, Canadian mining, forestry and engineering companies have a vastly greater impact on the region's indigenous peoples than Canadian aid programs. Indeed, current levels of Canadian investment in extracting resources from the territories of indigenous peoples in Latin America, conservatively estimated at US$10 billion, dwarfs all Western concessional aid flows to the region. The most significant contribution that Canada can make to the security and development of indigenous peoples is to manage Canadian investments in a way that ensures a positive net impact on the indigenous communities which host Canadian resource companies.

Threshold conditions of credibility

As a minimum condition of credibility, Canada should adhere to at least as high legal standards as Latin American states with respect to the status and rights of indigenous peoples. A 1997 CCFPD roundtable on indigenous peoples and Canadian foreign policy observed trenchantly that "the credibility of [our] international efforts will be limited by our domestic shortcomings."

The ILO's *Convention on Indigenous and Tribal Peoples, 1989* (No. 169), has thus far been ratified by 13 countries, including Bolivia, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Paraguay and Peru, and is under consideration by the governments of Argentina, Brazil, Chile, and Venezuela. ILO Convention No. 169 has also served as the model for the text of the *Proposed American Declaration on the Rights of Indigenous Populations*, currently under review and revision by a working group struck by the Permanent Council of the Organization of American States (OAS). It is fair to say that the convention has come to represent, in Latin America, a minimum acceptable standard for the rights of indigenous peoples.

While ILO Convention No. 169 does not directly address indigenous peoples' demand for recognition of their right to self-determination, it guarantees the right to control development within the traditional territories of indigenous peoples. This clearly forbids the granting of leases or permits to corporations for mining, logging, hydroelectric dams, or other activities in the territories of indigenous peoples, without the prior informed consent of those peoples.

Canada is arguably in compliance with ILO Convention No. 169 with respect to Indian Reserves, as well as other lands to which Aboriginal peoples' interests have been recognized by treaty or legislation. But the convention also applies to lands and resources that indigenous peoples continue to occupy or use, such as lands to which Aboriginal peoples assert claims based upon unextinguished Native title. Treaty talks in British Columbia have foundered on the province's refusal to satisfy Aboriginal peoples' demands that logging cease until their claims have been fully resolved--and litigation over the validity of individual forest licenses in disputed areas such as Haida Gwaii and the Kootenays.

Canada has ratified the other major international instrument that refers to the rights of indigenous communities, the U.N. *Convention on Biological Diversity* (CBD). Articles 8(j) and 10(c) of the CBD oblige state parties to protect and maintain indigenous peoples' traditional ecological knowledge and resource-management practices, and to protect indigenous peoples' sustainable customary uses of living resources--in the Canadian context, this refers to hunting, fishing, gathering, and other harvesting rights. Canada has not implemented these provisions of the CBD legislatively, nor is there any process in place to involve Aboriginal peoples in the drafting of appropriate legislation. Since nearly all Latin American governments have ratified the CBD and regard it favourably, Canada would benefit from assuming moral leadership and implementing the CBD fully at home.

Acting effectively and efficiently

In the 1970s, the hope was often expressed that a collapse of authoritarian regimes, democratization, and open markets would create a positive climate for human rights, poverty alleviation, and environmental sanity. For most indigenous peoples around the world, the reverse has been true. Transition to civilian rule in Latin America has led to greater foreign investment, accelerating the extraction of natural resources from regions where indigenous peoples live. Weak, tentative democracies have chosen to promote the growth of industry, employment and export earning at the sacrifice of ecosystems and vulnerable peoples.

Although Canada could, and arguably should take a larger role in international policy debates, such as the final readings of the draft United Nations *Declaration on the Rights of Indigenous Peoples* and the *Proposed American Declaration on the Rights of Indigenous Populations*, these exercises will have very little near-term concrete impact on the lives of indigenous peoples compared with Canadian direct investments in Latin American natural resources. Similarly, CIDA could and almost certainly should increase its level of financial and technical support for the development of Latin American indigenous organizations and the strengthening of North-South dialogue and cooperation among indigenous peoples of the Americas. In the foreseeable future, however, there is little likelihood of CIDA obtaining even one percent of the

financial power of Canadian resource companies in Latin America for this purpose (i.e., one percent of US$10 billion).

Canada has its greatest impact on Latin America, and the region's indigenous peoples, through direct investment in activities involving land and natural resources. It is simple logic to focus policy where the power is, and give top priority to assuring that Canadian FDI has a positive net impact on host communities, respects their rights, and contributes to their self-determination through economic participation and management partnerships. Canadian companies have already learned, slowly and sometimes reluctantly--how to build profitable partnerships with Canada's Aboriginal peoples. Noranda's Falconbridge subsidiary, for example, operates a mine in northern Quebec which could serve as a community-relations model for its projects in Chile, Mexico and Peru. Extending Canadian firms' domestic experience to developing countries should not prove insurmountable.

A CCFPD policy roundtable on APEC, Pacific Rim trade integration, and the intellectual property rights of indigenous peoples concluded that "[r]espect for indigenous people is a large variable in managing the risk of investments in many [economic] sectors," adding that this "seems better appreciated and more often taken seriously at home than abroad." The participants recommended that Canada ratify ILO Convention No. 169 and strike a permanent national Aboriginal advisory committee. A second policy roundtable on indigenous peoples and APEC recommended that Canada promote the adoption of codes of conduct by major industry associations, legislate minimum legally-binding standards for Canadian companies' activities abroad, and establish effective legal mechanisms for monitoring and enforcement.

Patterns of overseas investment

Canadian mining and forest products companies began moving their investments South in the 1980s in response to more stringent Canadian environmental standards as well as Aboriginal claims.

Canadian mining companies have focused upon Latin America, taking advantage of IMF-sponsored financial market reforms and the efforts of many Latin American governments to earn membership in NAFTA. By 1997, 495 Canadian mining companies had acquired stakes in Latin America, and Canadians were spending twice as much on Latin exploration as they had five years earlier. According to one recent estimate, Canadians account for 37% of all mineral exploration in Latin America.

Canadian mining companies reportedly have US$6 billion invested in Chile alone, second only to the US$10 billion investment in Chile by firms based in the United States. Canadians are major partners in three mines in northern Chile that account for 5% of world copper production. Developed at a cost of some $2 billion, the Collahuasi pit controlled by Quebec-based Noranda is the world's fourth largest copper mine. The Spence mine, developed by Rio Algom at a cost of $1.5 billion, begins production this year and is expected to dwarf the others.

Canadian corporations also represent the majority of lessees, and largest block of mining

claims in the recently-opened Zacatecas copper district of the predominantly indigenous *sierra* of central Mexico. At least $1 billion have already been invested in Zacatecas by Canadians. By comparison, CIDA has been spending less than $4 million per year on all of its projects throughout Mexico. Canadian companies have been major players since 1994 in the opening of new mining districts in the predominantly indigenous Peruvian highlands as well. The $2.2 billion Antamina copper-zinc mine in Peru, which begins production this year, is a partnership of three Canadian companies--Teck Corp., Noranda, and Rio Algom.

Canadians' reputation

Canadian firms have been associated with an unfortunate number of highly visible environmental disasters and human tragedies, placing an even greater burden on Canadians to demonstrate fair play, respect for local communities, and good stewardship. When Da Capo Resources' mine in the Bolivian Andes called in the Bolivian army to break a strike in 1996, ten miners were killed, and Canadian business lost "some of its shine." A Cambior Inc. gold mine in Guyana attracted international criticism when it spilled toxic leachates into the country's principal river. On the Philippines island of Mindanao, Canadian mining juniors have earned a reputation for dig-and-run projects operated by domestic shell companies.

One of Vancouver-based Placer Dome's projects in the Philippines was sufficiently embarrassing to draw heavy fire from the conservative Financial Post. Placer Dome held 40% of Marcopper Mining Corp., in which Philippines dictator Ferdinand Marcos also owned a large share. Marcopper began operating two open-cast copper mines on the island of Marinduque in 1969. Initially, it dumped mine tailings in the nearby Boac River. Later, it piped tailings into Calancan Bay, 16 kilometres away. Both actions were approved by the Marcos regime, over protests by local fishing villages. In 1988, a class action lawsuit was filed against Marcopper, and the newly-inaugurated Aquino government refused to renew Marcopper's environmental permits. Manila reneged within six months, however, and Marcopper went back into operation. This time it dumped its tailings into the Mogpog River. Subsequent failures in two of Marcopper's mine-drainage works resulted in the severe flooding and contamination of nearby villages. Criminal charges were filed against three Marcopper employees, but languished. Placer Dome argued that it had played no role in management; nevertheless in April 1996 the firm promised that it would rehabilitate the Boac River. After spending an estimated US$71 million on the clean-up, Placer Dome sold its interest in Marcopper, and stated that it was no longer responsible for damages caused by Marcopper's operations on the island. The Philippine courts disagreed. In the meantime, Placer Dome's clean-up program itself has come under attack by local people and environmentalists, and elevated heavy-metal loads have been detected in children who live on Calancan Bay.

Canadian companies also participated in the opening of indigenous territories in Amazonian Ecuador for petroleum exploration two decades ago, resulting in severe adverse health effects from deforestation and wildlife destruction, spills of mine spoils and refined petroleum, and frequent waste-oil fires. PetroCan acquired leases to a substantial portion of the area that Ecuador had set aside as a Huaorani protected area in 1983. After Huaorani protests and international criticism failed to halt the mining, American environmentalists brought a class-action lawsuit in New York federal court against the main U.S. company involved, Texaco. Under increasing pressure, Texaco signed

a clean-up agreement with Ecuador in May 1995, but indigenous leaders rejected it because evaluation and compliance were to be left to Texaco. Although the Texaco case was dismissed for lack of jurisdiction in 1997, it was reinstated on appeal in 1999. Texaco maintains that it is not liable for damages because it complied with all applicable Ecuadoran laws.

Although international attention was focused on Texaco, a number of Canadian petroleum firms continue to be entangled in land disputes with indigenous peoples in Amazonian Ecuador, including Calgary-based Canadian Occidental Petroleum, and Calgary-based Pacalta, discussed below. While only about 10% of Canadian companies' investment in petroleum-related activity goes abroad, the proportion is growing rapidly.

Are Canadians clean-cut?

Some financial analysts have argued that Canadian companies have thus far "scored big internationally by being nice guys--they were more willing to emphasize corporate responsibility by funding social programs or facilities like hospitals and road for the benefit of the community." There is no evidence of a Canadian social advantage in in business news sources, however, and a study sponsored by the United Nations High Commissioner for Human Rights concluded earlier this year that corporate conduct varied by industrial sector, and the management philosophies of individual firms. Canadian companies were among the best and the worst in the study's sample of 60 projects in Russia, the Americas, and southeast Asia.

The social performance of Canadian companies has ordinarily been measured in terms of their willingness to reinvest in host communities through job creation and infrastructural support (roads, schools, and clinics). As illustrated by the Marcopper case, such investments have often been a source of additional frictions and conflict, because they tend to involve corporate domination of local decision making--and tend to divert attention from underlying issues of land rights, local self-government, and in most biotechnology projects, intellectual property rights. California-based Shaman Pharmaceuticals has won praise in the business press for its programs of reinvestment in community programs, for example, but refuses to recognize the intellectual property rights of the indigenous communities upon whom it relies for for profit-making innovations. Indigenous communities appear to express greater trust in firms that treat them as the rightful owners of their knowledge.

It is difficult to take issue with the argument made by Talisman Energy CEO Jim Buckee that "development is better than starvation." The real question is whether corporations determine the priorities and goals of development for indigenous peoples and other host communities in developing areas. As countries such as Ecuador open their interior to foreign corporations, corporations become the main influence in the daily lives of indigenous peoples and peasants. Corporations thereby effectively replace state social-welfare agencies, as well as "Indian" protection agencies such as Mexico's INI and Brazil's FUNAI. While it is commendable when corporations reinvest in community well-being, the investment is frequently delivered carelessly, paternalistically, and with little knowledge or concern for local realities and values in the manner Canadians First Nations long associated with DIAND. This leads to wasted investments from both the viewpoints profit-maximization and social responsibility.

It must be emphasized that Canadian investment in the South tends to be concentrated in potentially "dirty" extractive sectors such as petroleum, hard-rock mining and forest products because Canada itself is rich in natural resources and, as an industrialized country, has a strong technological and financial edge over developing countries with similar resource endowments. Canadian companies have strong expertise in these sectors that they can put to good use abroad. As a result of Aboriginal claims and increasing environmental concerns within Canada, moreover, Canadian resource-extraction companies face growing domestic costs, which make it more attractive to relocate their most hazardous processes to developing countries.

Ottawa's responsibility

The government of Canada promotes overseas investment, and shares some of the expenses. DFAIT itself offers various forms of support to Canadian firms overseas including "sharing marketing costs, organizing trade fairs and trade missions abroad, ... and arranging contacts with officials in foreign countries." Brokering political access abroad on behalf of Canadian companies is an important use of Canadian power and credibility, and associates Canada with the operation of projects. Even after petroleum development in Amazonian Ecuadoran had attracted international criticism, Canadian officials in Quito were encouraging Canadian petroleum firms to invest there, without squarely addressing any of the associated environmental or indigenous-rights concerns.

DFAIT should not act as an intermediary, unless it has prior and continuing assurances of the company's compliance with all appropriate environmental and human-rights standards. Failure to screen companies at an early stage may result in what looks like a good investment for Canadians becoming a foreign-policy embarrassment or worse, a threat to the security of Canadians living and working abroad.

A report prepared for the CCFPD by Human Rights Internet and the John Holmes Fund on the strengthening of human rights in Latin America concluded that "Canada should incorporate human rights considerations in its promotion of trade and investment," and, in particular, should "condition government benefits to [Canadian] businesses based on their human rights record" abroad, promote adherence to corporate codes of conduct, and arrange for the independent monitoring of the conduct of Canadian companies operating in countries with a record of violating human rights.

The significance of these recommendations, made two years ago, is underscored by the recent embarrassment to Canada from the involvement of Calgary-based Talisman Corporation in the dirty war of the Sudanese regime against tribal peoples. When Talisman paid US$300 million for a 25% stake in Sudan's Greater Nile petroleum complex including nearly five million hectares of disputed tribal territory, it announced that the acquisition represented a rare opportunity with spectacular potential." Within a year, Talisman was challenged by a wide spectrum of Canadian human-rights groups. "Let's try sharing some wealth instead of just sharing poverty," Talisman's CEO argued in his defence. "The government at least says that the revenue will be used for health, education etc. especially in the south" where the fighting raged. Ottawa initially admonished Talisman to observe the voluntary Canadian code of conduct for overseas business activities, but threatened sanctions after the United States Secretary of State publicly accused Ottawa of condoning gross violations of

human rights in Sudan. Talisman was also shaken by a warning it received from one of its largest shareholder, the US$ 90 billion New York City public employees' pension fund: "As long-term investors, we believe a company that is cavalier about its moral and social responsibilities presents an unacceptable investment risk."

Talisman almost certainly went into Sudan with the knowledge and continuing advice of DFAIT officials. Clearer criteria and procedures for involving DFAIT in such ventures are needed, because Ottawa cannot escape criticism once Canadian businesspeople are discovered enriching themselves from violations of human rights abroad. Aboriginal peoples can, and should intensify the demands for enforceable codes of conduct that are already being pressed by Canadian social-justice NGOs.

Just months after the Talisman case first made headlines, another Calgary-based petroleum developer, Pacalta Resources, became embroiled in the struggle over Indian land rights in Amazonian Ecuador when some of its field employees were kidnapped. Pacalta had acquired a stake in an oil pipeline crossing through disputed land, and the kidnappings followed confrontations with peasants living in the pipeline corridor. To its credit, Pacalta was reportedly the first foreign petroleum developer to pay mining royalties to the state without deducting "service charges" for its exploration and production expenses. While it had fair to its state hosts, Pacalta paid insufficient attention to the communities directly affected by its operations. Pacalta's interests in Ecuador are valued at more than $748 million dollars, enough to have justified a larger commitment to land rights and community relations.

Canadian investment abroad benefits the government of Canada, and all Canadians, both directly and indirectly. Repatriated revenues pay taxes, and create more domestic employment. Domestic industries, in particular metals-refining and manufacturing, increasingly rely on raw materials imported from Canadian producers overseas. Everyone who lives in Canada is a beneficiary and must share the responsibility for Canadian companies' conduct abroad. This includes Aboriginal peoples. Indeed, while it may have been true 25 years ago that federal programs for Aboriginal peoples were merely repaying some of the wealth Canada extracted from Aboriginal peoples' lands, a growing share of the costs of federal programs is financed by resources extracted from indigenous peoples' lands in Latin America.

Attitudes in the private sector

Some indication of the private sector's growing awareness of the need for recognizing indigenous peoples' rights has been the decision of Shell to develop a policy manual (*Indigenous People; A Management Primer*) in the wake of its embarrassing entanglement in the land-rights struggle of the Ogoni people in the Nigerian delta. Shell's approach could serve as a model for Canadian corporations. It commits to the adoption of specific "rules of engagement on indigenous peoples" for each country, based on "industry best practice" worldwide. Managers are advised to "consult at all stages"--preferably through a standing commission of indigenous, government and corporate representatives--to "be transparent," study and understand indigenous peoples' systems of land tenure, "involve and employ" indigenous people in all aspects of the project, and to "use traditional structures" of local governance to monitor and evaluate project impacts.

The Calvert Group, the largest U.S. manager of socially-responsible mutual funds with US$2.1 billion in managed assets, announced its adoption of an *Indigenous Rights Investment Policy* in October 1999. Calvert Group committed "not to invest in companies that have a pattern of egregious practices towards indigenous peoples," and to exercise its rights as a shareholder to "challenge" the practices of companies in which it does have a stake "through dialogue and advocacy" with a view to persuading them to "respect [the] land, sovereignty, and natural resource rights of indigenous communities," and to condition all corporate activities on the "prior informed consent" of indigenous peoples. Prior informed consent is defined in terms of transparency, full disclosure, and the genuine freedom of indigenous peoples to veto a proposed project. The Calvert Group initiative was welcomed by a U.S.-Canadian conference of ethical-fund managers at Banff, Alberta, where it was announced.

Canadians have more than $5 billion invested in socially-screened mutual funds--a small proportion of total Canadian private investment, but a potentially formidable lever nevertheless. Ottawa could play an important leadership role in mobilizing this grassroots interest in responsible investment, by applying the same screening criteria to its support of Canadian investments abroad.

In 1997, 13 Canadian corporations signed a code of ethics for Canadian business abroad. Several Canadian mining companies have also won praise for grassroots participation and good environmental stewardship in recent projects--including Placer Dome. There are differences of opinion as the extent of real change, but it is clear that Canadian companies are becoming more sensitive to criticism--and much more willing to accept public accountability for their actions.

The European Parliament adopted a *Resolution on Standards for European Enterprises Operating in Developing Countries* (January 1999), in which it "encourages voluntary initiatives by business and industry to promote codes of conduct, with effective and independent monitoring and verification." European industry codes must include the rights of indigenous peoples as defined by ILO Convention No. 169, as well as "recognizing their important role for sustainable development" in accordance with the *Convention on Biological Diversity*. European codes will eventually be enforceable through European courts, in the same manner as the "social charter" which entrenches the economic and social rights of Europeans themselves within the EEC. If the United Kingdom can commit itself to enforceable overseas corporate accountability--indeed, the resolution was the initiative of British MEP Richard Howitt--why not Canada?

Options for concrete action

The evolving relationship between major representative Aboriginal organizations and DFAIT has concentrated on regional and international standard-setting exercises, and promoting contacts and cooperation among indigenous NGOs in the Americas through conferences. However, a recent survey of grassroots Latin American indigenous organizations found that their main concerns were inadequate national legislation, lack of technical resources for demarcating land, lack of legal aid for national and transboundary litigation, lack of strategic information on the corporations operating in their territories and the potential ecological impacts of extractive processes, lack of external political pressure on corporations (including shareholder and consumer actions), and a chronic lack of funds to mount their own campaigns to defend their lands from unwanted development activities.

In cooperation with Aboriginal organizations, DFAIT and CIDA can have a significant impact on the indigenous peoples of Latin America--consistent with those peoples' own needs and priorities--by developing new initiatives in the areas of strategic information, corporate codes of conduct and monitoring for accountability, and technical education. The effectiveness of such measures will depend, as argued above, on an effort to secure Canada's credibility as a leader in this field.

1. Credibility

Canada's credibility in Latin America increasingly depends on its ratification and implementation of ILO Convention No. 169, as well as effective steps to implement Articles 8(j) and 10(c) of the *Convention on Biological Diversity* through domestic legislation.

Canada should convene a national consultative conference on the ILO convention with nation-wide representation of aboriginal peoples, with a view to placing its ratification before Parliament in 2001. In connection with this process, Canada should commission an independent technical review of its compliance with the convention, and of the additional measures required to bring Canada into compliance.

2. Strategic information

In consultation with indigenous NGOs with relevant expertise both in Canada and Latin America, DFAIT should prepare an annual report to Parliament on the socio-economic status and security of the indigenous peoples of the Americas, with particular emphasis on both the positive and negative impacts of Canadians' overseas aid and trade activities.

DFAIT and CIDA should collaborate in helping strengthen existing indigenous-peoples information networks based in Canada, such as the Indigenous Peoples Biodiversity Network (IBIN), and Strategic Network for Indigenous Peoples (SNIP), at a level sufficient to enable them to monitor and evaluate the impacts of Canadian aid, trade and investment on Latin America's indigenous peoples, thoroughly and reliably.

DFAIT should also collaborate with indigenous-peoples information networks to prepare strategic analyses of opportunities for indigenous peoples to benefit directly and substantially from North-South trade, and to make this information available to Aboriginal organizations and entrepreneurs in Canada.

3. Fair trade and corporate accountability

In cooperation with Aboriginal organizations, industry groups and other relevant government departments, DFAIT should adopt a screen for evaluating Canadian foreign direct investments before they receive the assistance or good offices of the Canadian government.

Canada should legislate a code of conduct for Canadian businesses abroad, enforceable through the denial or recoupment of investment tax credits, and, in egregious cases of damage to

human life, health or the environment, through criminal prosecution and civil liability of company officers and directors. The code of conduct should reflect the principle of prior informed consent of indigenous communities to activities which affect them directly.

Canada should enact legislation affirming the civil jurisdiction of Canadian courts to entertain actions for damages to human health or the environment abroad caused by the activities of a corporation which is incorporated in Canada or whose major shareholders are nationals of Canada (based on the principles of private international law discussed in *Aguinda v. Texaco*).

Canada should lend its full support to the initiative of Peru and other Andean countries to consider the intellectual property rights of indigenous peoples in the next round of world trade talks, and address indigenous peoples' concerns within the NAFTA framework through NAFEC, and a possible additional side-bar agreement.

4. Technical education

Canada is in a strong position to assert regional leadership in the fields of indigenous land rights, land claims, and co-management, including the technical aspects of traditional land-use mapping, sound environmental stewardship based on local knowledge, and negotiations.

Canada should sponsor initiatives by Aboriginal organizations and Community-University Research Alliances to assist NGOs and governments in Latin America in the design and implementation of land-use mapping, land demarcation, and security-of-tenure schemes. This would include facilitating bilateral talks between indigenous peoples in Canada and Latin America.

Canada should invest in the establishment of regional centres of excellence serving indigenous peoples throughout the Americas in such fields as health, the environment, and higher education, as called for by the UN General Assembly in resolutions on the International Decade of the World's Indigenous People.

Canada should encourage the training of Latin American indigenous people at Canadian universities, for example by providing them special bursaries and by sponsoring wider exchanges of indigenous students and instructors. It is essential for such programs to include a component of preparing indigenous people for fluency in both English and Spanish in order to improve North-South communication.

Taking the first steps

Canada has taken a strong, principled position of the scourges of genocide, ethnocide, and ethnic cleansing in the Balkans, and should apply the same standards of conduct to its neighbours in the Western Hemisphere. Canada should take a visible stand on the principle that the forced assimilation, dispossession, relocation, or mass intimidation of indigenous peoples represent threats to the peace and security of the hemisphere. In this regard, Canada must take full responsibility for the activities of Canadians abroad--in particular, the activities of a growing number of Canadian corporations engaged in resource extraction in the indigenous territories of Latin America. Canadian

aid to Latin America is less than one percent of current levels of Canadian foreign direct investment in Latin American mining and logging.

An explicit policy on the regional dimension of indigenous rights and development would advance Canada's credibility, and its leadership in the fields of human rights and democratic governance. It would not only be consistent with Canada's national interest in increasing trade with its hemispheric neighbours, but provide significant opportunities for Canada's Aboriginal peoples to forge a stake in hemispheric trade, growth and development by participating in research, policy-making and implementation.

A Canadian policy on indigenous peoples of the Americas would, at a minimum, make clear commitments to:

the speedy ratification of ILO Convention No. 169;

the adoption of a screening mechanism governing DFAIT's participation in the promotion of Canadian investments abroad;

the establishment of an effective regional monitoring system and annual Parliamentary reports through collaboration with indigenous-peoples' networks

a serious investment in educational partnerships involving indigenous organizations and institutions in Canada and Latin America.

These threshold measures should gradually be reinforced by appropriate legislation to strengthen corporate overseas accountability under law.

An appropriate opportunity to launch a Canadian initiative would be the Day of Indigenous People scheduled for the upcoming 8th session of the United Nations Commission on Sustainable Development (April 24-May 5) at New York.